#### PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHO	ORITY				
To: ANDREA L.C. ROBIDOUX CHOATE, HALL & STEWART LLP 53 STATE STREET BOSTON, MA 02109		PGT 13 JUN 2005  WRITTEN OPRIMOSOF THE PCT INTERNATIONAL SEARCHING AUTHORITY			
		(PCT Rule 43bis.1)			
		Date of mailing (day/month/year)  FOR FURTHER ACTION			
Applicant's or agent's file reference		See paragraph 2 below			
2005577-0004 International application No.	International filing date	(day/month/year) Priority date (day/month/year)			
PCT/IS05/08417	14 March 2005 (14.03.2	2005)	19 March 2004 (19.03.2004)		
International Patent Classification (IPC) or both national classification and IPC					
IPC(7): A61K 35/78 and US Cl.: 424/19:	5.15, 728, 735, 756				
Applicant					
LI, XIU-MIN					
1. This opinion contains indications re	lating to the following item	ns:			
Box No. I Basis of th	e opinion				
Box No. II Priority	Priority				
Box No. III Non-estable	III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability				
	Lack of unity of invention				
Box No. V Reasoned applicabili	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement				
Box No. VI Certain do	Certain documents cited				
Box No. VII Certain de	Certain defects in the international application				
Box No. VIII Certain ob	Certain observations on the international application				
2. FURTHER ACTION  If a demand for international prel International Preliminary Examin Authority other than this one to be that written opinions of this Interna-	ing Aumonty ( IFEA )  the IPFA and the chose	n IPEA has notified	Il be considered to be a written opinion of the se not apply where the applicant chooses an the International Bureau under Rule 66.1 bis(b) dered.		
of Form PCT/ISA/220 or before the	e expiration of 22 months	ritten opinion of the ndments, before the of from the priority date	IPEA, the applicant is invited to submit to the expiration of 3 months from the date of mailing e, whichever expires later.		
For further options, see Form PCT	/ISA/220.		OPC		
3. For further details, see notes to For	rm PCT/ISA/220.				
Name and mailing address of the ISA/	US	Authorized offi	cer 10 D M 11		
Mail Stop PCT, Attn: ISA/US Commissioner for Patents		Susan D. Coe Laver Bell-Hall			
P.O. Box 1450 Alexandria, Virginia 22313-1450		Susan D. Coe Salere Bell - Have Telephone No. (571) 272-1600			
Facsimile No. (703) 305-3230 Form PCT/ISA/237 (cover sheet) (Janua					

International application No.

PCT/US05/08417

Box No. I Basis of this opinion
1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
This opinion has been established on the basis of a translation from the original language into the following language which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
a. type of material
a sequence listing
table(s) related to the sequence listing
b. format of material
in written format
in computer readable form
c. time of filing/furnishing
contained in international application as filed.
filed together with the international application in computer readable form.
furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:
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Form PCT/ISA/237 (Box No. V) (January 2004)

International applicatic PCT/US05/08417

INTERNATIONAL SEARCHING		
Box No. V Reasoned statement under Rule applicability; citations and expla	43 bis.1(a)(i) with regard to novelonations supporting such statemen	y, inventive step or industrial t
1. Statement		
Novelty (N)	Claims 1-15	YES
Moverty (14)	Claims NONE	NO .
	•	
Inventive step (IS)	Claims NONE	YES
	Claims 1-15	
	Oleina 1 16	_YES
Industrial applicability (IA)	Claims 1-15 Claims NONE	N0
	Claims HOND	
2. Citations and explanations:  Claims 1-15 lack an inventive step under PCT Artic for treating and preventing allergic reactions. The r Jiao, Huang Lian, Huang Bai, Gan Jiang, Gui Zhi, I the composition can contain other herbal ingredient composition the same as claimed is encompassed by ingredients in the reference in order to best achieve can be used in conjunction with other anti-allergy s pharmaccutically acceptable carriers.  Claims 1-15 meet the criteria set out in PCT Article claimed can be made or used in industry.	nethod uses a composition that can count ken Shen, and Dong gui (see column 3, 1 s. However, since the reference does no y the reference. A person of skill in the the desired effects of the reference. The ubstances such as anti-histamines and st	ines 30-55). The reference does teach that t require the use of these other ingredients, a art would be motivated to pick amongst the reference also teaches that the composition eroids. The composition also contain

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				(PCT Rule 43bis.1)		
		Date of mailing (day/month/year) 0 9 JUN 2005				
Applicant's or agent's file reference		FOR FURTHER ACTION See paragraph 2 below				
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					19 March 2004 (19.03.2004)	
PCT/US05/0 International	18417 Patent Classific	ation (IPC)	14 March 2005 (14.03.2 or both national classificat	ion and IPC	13 Maior 2001 (1910)	
			5.15, 728, 735, 756			
Applicant	10 35/10 4110 50	9.0				
LI, XIU-MI	N					
1. This op	inion contains in	dications rel	lating to the following iten	ns:		
	Box No. I	Basis of the	e opinion			
	Box No. II	Priority				
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	Box No. IV	Lack of un	ity of invention			
$\boxtimes$	Box No. V	Reasoned applicabili	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement			
	Box No. VI		ertain documents cited			
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	Box No. VIII	Certain observations on the international application				
If a de Interna	tional Prelimina	ational preli ary Examini		IPEA has notified	Il be considered to be a written opinion of the is not apply where the applicant chooses an the International Bureau under Rule 66.1bis(b) dered.	
of For	a written reply to m PCT/ISA/220	or before the	e expiration of 22 months		PEA, the applicant is invited to submit to the expiration of 3 months from the date of mailing e, whichever expires later.	
For fu	rther options, see	Form PCT/	/ISA/220.			
3. For fu	rther details, see	notes to For	m PCT/ISA/220.			
Name and	mailing address	of the ISA/ (	JS .	Authorized offic	cer / / / / / / / / / / / / / / / / / / /	
[ N	Asil Stop PCT, Att Commissioner for I	n: ISA/US		Susan D. Coe	Valleriel Bell-Harrix	
P.O. Box 1450 Alexandria, Virginia 22313-1450		Telephone No.	Valerie Bell-Harre (571) 272-1600			
Facsimile No. (703) 305-3230 Form PCT/ISA/237 (cover sheet) (January 2004)					7	
Form PCT/IS	SA/237 (cover sl	neet) (Januar	ry 2004)			

International application No.
PCT/US05/08417

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4. Additional comments:

Form PCT/ISA/237 (Box No. V) (January 2004)

International application PCT/US05/08417

	L SEARCHING AC				- {
Box No. V Reasoned states applicability; ci	ment under Rule 43 tations and explana	bis.1(a)(i) with regard tions supporting such s	to novelty, invent statement	ive step or maustrial	_
1. Statement			•		ł
λ1 (Δ.D.		Claims 1-15		YES	.
Novelty (N)		Claims NONE		NO	
Inventive step (IS	)	Claims NONE		YES	
		Claims 1-15		NO	
		Ob. 1 . 1 . 15		YES	3
Industrial applica	bility (IA)	Claims 1-15 Claims NONE	· ·	NO	
		Claims NONE			
the composition can contain out composition the same as claimed ingredients in the reference in c can be used in conjunction with pharmaceutically acceptable ca	tep under PCT Article 3 rgic reactions. The metl 3 an Jiang, Gui Zhi, Ren ner herbal ingredients. It is encompassed by the order to best achieve the nother anti-allergy substriers.  et out in PCT Article 33	Shen, and Dong gui (see of However, since the reference reference. A person of seed editional edition of the reference such as anti-histamical editions.	column 3, lines 30-5 ace does not require to skill in the art would rence. The reference ines and steroids. The	b). The reference does teach that the use of these other ingredients be motivated to pick amongst the also teaches that the composition	t , a e on